IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

Bail Appl..No. 945 of 2007()

CRMP.227/2007 of DISTRICT COURT, PATHANAMTHITTA
(CR NO.111/06 OF ADOOR EXCISE RANGE)

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PETITIONER:

SASIDHARAN, S/O.NARAYANAN,
MUNDUVELIL VEEDU, BHAGAVATHIKKUM PADINJATTETHIL
MURI, PANDALAM THEKKEKKARA P.O.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS:
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1. THE EXCISE INSPECTOR, ADOOR EXCISE
RANGE.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.945 OF 2007

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DATED THIS THE 20th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the accused in CR.No.111/06 of Adoor Excise Range for offences punishable under sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of 140 litres of spirit on 30.11.2006 and who surrendered before the Magistrate on 4.1.2007, seeks his enlargement on bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in another abkari offence of the year 2003. It is too early to accept the petitioner's contention that he has been falsely implicated in the case on account of an early case of the year 2002 as revealed by Annexure A3.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec.41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-